

10-14-03 @ 4:00

RWS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|------------------------------|---|----------------|
| HAYWARD L. SIMPKINS, | : | CIVIL ACTION |
| ELLIS P. SIMPKINS, | : | |
| FOR THEMSELVES AND ON BEHALF | : | |
| OF OTHERS SIMILARLY SITUATED | : | |
| vs. | : | CLASS ACTION |
| CENLAR, FSB | : | |
| and | : | |
| JOHN DOES ONE THROUGH FIFTY | : | NO. 02-CV-4770 |

| | | |
|-------------------------------|---|----------------|
| SHARON STEWART and | : | CIVIL ACTION |
| JEREMIAH BONEY and | : | |
| ALL OTHERS SIMILARLY SITUATED | : | |
| v. | : | CLASS ACTION |
| CENLAR, FSB | : | NO. 03-CV-2258 |

**REPORT ON NOTICE TO THE MEMBERS OF THE CLASS
AND A LIST PERSONS WHO HAVE REQUESTED EXCLUSION
OR ISSUED OBJECTION TO THE CLASS ACTION SETTLEMENT**

AND NOW this 14th day of October, 2003, come Plaintiffs, by their attorney, and provide the following report to the Court:

1. A total of 2,282 notices by first class mail, postage prepaid, were mailed to prospective members of the Class on or before July 30, 2003. The Notices were pursuant to Exhibit "C" to the Class Action Settlement Agreement and Release (the "Settlement Agreement") and as provided in the Order Conditionally Certifying Class and Preliminarily Approving the Settlement (the "Order"), signed on June 23, 2003, entered on June 24, 2003.

2. Advertisements providing Notice of the Class Pendency of the Class Action, as provided in Exhibit "D" to the Settlement Agreement, and required by the Order were timely published in the following newspapers set forth in the Settlement Agreement and as provided in the Order.

The Philadelphia Inquirer
The Pittsburgh Post-Gazette
The [Harrisburg] Patriot News
The [Allentown] Morning Call
The Erie Daily Times/Morning News
The Scranton Times Tribune
The Centre Daily Times

3. As a result of the Notice by publication and the Notice by mail to 2,282 persons, the following three members of the Class have chosen to be excluded from the Class:

- a. Rochelle D. Crenshaw
2010 North 56th Street
Philadelphia, PA 19131-3132

See Exhibit "1" to this Report.

- b. Diane Briggs¹
5718 Windsor Street
Philadelphia, PA 19143

See Exhibit "2" to this Report.

- c. Norma Wertz
56 Campbell Avenue
Lancaster, PA 17603

See Exhibit "3" to this Report.

4. As a result of the Notice by publication and the Notice by mail to 2,282 persons, the following member of the Class has objected to the settlement:

¹ Ms. Briggs does not qualify as a member of the Class; however, as she received notice and has chosen nonetheless to "opt-out", she is included in this report.

Elisha Hair
903 Lincoln Drive
Clayton, NJ 58312

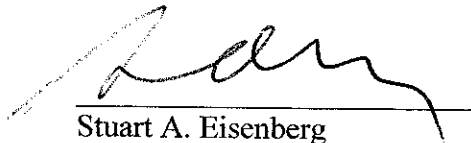
See Exhibit "4" to this Report.

5. There is presently no statistic on the number of mailed items returned as "undeliverable, or the like.

6. There is no statistic available of the number of possible Class members who received Notice by publication. The undersigned attorney for plaintiffs spoke with six (6) persons who identified themselves as recipients of Notice by publication.

7. In summary, therefore, out of at least 2,282 mailings, there were three (3) exclusions, comprising approximately 1/10 of one percent (.1%), and one objection comprising less than 1/3 of one percent (.03%).

Respectfully submitted:



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October 14, 2003